MISSOULA
OFFICE OF THE MAYOR
435 RYMAN MISSOULA, MONTANA 59802-4297

Memorandum

TO: Mayor Andrea Davis
Marina Yoshioka, Parks & Recreation Director
Ryan Applegate, Parks and Recreation Deputy Director

FROM: Lincoln Lake, Associate Director – Developed Parks and Trails

CC: Leigh Griffing, Finance Director & Chief Procurement Officer

SUBJECT: Purchasing Policy Variance Request

DATE: 6/2/2026

The City's adopted purchasing administrative rule requires quotes from a minimum of three vendors for purchases of goods or services valued at more than $5,000. The variance procedure is detailed in Section 11 - copied below.

> 11. Variances. The Mayor has the discretion to grant a variance from the provisions of this policy at the request of a department head. Prior to the vendor selection process or contract execution, a request for variance shall be made in writing, with a copy to the Procurement Officer; the department head shall present the case for the variance to the Mayor. To support the request for variance, the department head shall be prepared to demonstrate good cause for the variance, as well as:
>
> A. How compliance with legal requirements will be achieved;
>
> B. How clear contract obligations will be formulated without undue exposure to liability;
>
> C. How a fair and open process for the expenditure of public funds will be maintained.

The Parks & Recreation Department is formally requesting a variance from the purchasing policy for sole source approval to contract with Precision Concrete Cutting in the amount not to exceed **$99,849.49**. Precision Concrete Cutting is the sole contractor with the ability to horizontally cut concrete and hardscape to regain ADA compliance.

The purpose of the proposed work within Developed Parks and Trails parkland in which many concrete sidewalks, paths and gathering areas are incorporated is over time, freeze/thaw cycles and ground movement have created numerous identified trip hazards. These trip hazards, the majority of which are outside of ADA compliance, create risk and liability for the City and Parks Department. Sites have already been assessed by a unique company that holds the patent for equipment and methods for horizontal concrete cutting to mitigate trip hazards and regain ADA compliance. This method is proven to be more efficient and cost effective than replacement or concrete grinding operations, and grinding is not proven to regain an ADA compliant surface. Without repairing the identified trip hazards, the City holds unnecessary risk and liability. Most of the concrete has now been in place for decades.

If approved, the variance request waives requirements to solicit 3 quotes. The reason for this request is because no other contractor holds the patent for equipment and methods for horizontal concrete cutting to mitigate trip hazards and regain ADA compliance. Precision Concrete Cutting is the only firm in the market with the necessary equipment, knowledge and experience to do this work without spending additional resources for replacement of concrete.

Compliance with the purchasing policy will be achieved through issuance of a standard City construction contract.

Thank you for considering this purchasing exception request for sole source selection of Precision Concrete Cutting to mitigate trip hazards throughout Missoula's Parklands.

Approved by: _____
Andrea Davis, Mayor

Attest: _____
Claire Trimble,
Legislative Services Director/City Clerk

[Stamp]